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Via Federal Express

Honorable Richard M. Berman
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: **Pure Tech Systems, Inc. v Kemper Environmental Ltd., and Kemper Indemnity Insurance Company**
Case No. 07cv7065 (RMB)

MEMO ENDORSE

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Dear Judge Berman:

We write on behalf of all parties and respectfully request the Court reconsider its denial of the May 13, 2008 request for an additional 90 days to complete discovery. For the reasons set forth below, the parties submit this joint request for a 45-day extension of time to complete discovery.

The parties have engaged in a concerted effort to narrow the remaining issues and complete discovery. The parties have each provided their responses to their respective written discovery requests and are in the process of vetting those responses to determine their completeness. Plaintiff's response was delayed somewhat due to the sheer volume of responsive documents to be reviewed and produced and due to Plaintiff's principal's extended absence due to serious health complications related to his son.

The parties have now identified several discrete categories of documents believed to be in the possession of third parties that are necessary in order to adequately prepare for and conduct the depositions of the parties and conduct meaningful settlement discussions. These documents include, but are not limited to,

documents in possession or control of the Ohio Environmental Protection Agency and documents

produced within other lawsuits related to the subject property. We believe that we will be able to complete fact discovery by August 29, 2008. The parties believe that resolution of this matter will be made more difficult by the absence of this information.

Honorable Richard M. Berman

June 4, 2008

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Respectfully submitted,



Sean M. Walsh

cc: Paula Johnson-Bacon, Esq.
Saulius K. Mikalonis, Esq.
Vijayant Pawar, Esq.
David M. Pollack, Esq.

See you on 6/25/08 @	
10:30	
SO ORDERED	Richard M. Berman
Date: 6/10/08	Richard M. Berman, U.S.D.J.